

On June 17, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19507. Misbranding of Pratts N-K nicotine and kamala tablets. U. S. v. 23 Packages, et al., of Pratts N-K Nicotine & Kamala Tablets. Default decree of condemnation, forfeiture, and destruction. (8220-A, 8221-A, 8222-A, 8223-A. F. & D. No. 28429.)

Examination of a drug product, known as Pratts N-K nicotine and kamala tablets, from the shipment herein described having disclosed no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the labeling, the Secretary of Agriculture reported the matter to the United States attorney for the District of New Jersey.

On June 22, 1932, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 34 packages, adult size, and 32 packages, chick size, of Pratts N-K nicotine and kamala tablets, remaining in the original unbroken packages at Camden, N. J., alleging that the articles had been shipped by the Pratt Food Co., from Philadelphia, Pa., on or about May 23, 1932, and had been transported from the State of Pennsylvania into the State of New Jersey, and charging violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of kamala and tobacco.

It was alleged in the libel that the article was in violation of the food and drugs act, section 8, paragraph 3, as amended, under drugs, in that the following statements appearing in the labeling, regarding the curative or therapeutic effect of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "For Tape * * * Worms of Poultry * * * for individual treatment of poultry infested with tape * * * worms;" (circular) "Don't Let Worms Kill Your Hens! [Cut showing picture of tapeworms] * * * Full, Therapeutic Dose of Fresh, Potent Kamala and Nicotine Kills the Worms * * * Here in the Intestines the Kamala and Nicotine Kills The Worms * * * Solving The Worm Problem * * * There is no simpler, safer, surer and quicker way to treat fowls for worms than by the use of Pratts N-K Capsules * * * Pratts N-K Capsules. * * * Get the Worms."

On August 2, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19508. Adulteration and misbranding of ether. U. S. v. Keene Chemical Co. (Milton Elias Co., Harold Surgical Corporation). Plea of guilty. Fine, \$2,000. (F. & D. No. 26535. I. S. Nos. 01378, 01379, 03930, 03958, 019565, 019567, 019568, 021651.)

This action was based on five separate interstate shipments of ether. Samples examined were found to contain excessive nonvolatile matter; peroxide and aldehyde, not normal constituents of ether, also were found; samples from all consignments were found to contain acid in excess of the amount permitted by the United States Pharmacopoeia. Investigation showed that the article was a part of a lot of ether purchased from the Government as surplus Army stores, the Government having required the purchaser to execute a bond conditioned that it would be used otherwise than for purposes of anaesthesia, and in some manner whereby its deteriorated condition would not endanger human life. The article was shipped under its original label as ether for anaesthesia.

On September 16, 1931, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the Keene Chemical Co., a corporation organized under the laws of the State of New York, and having an agent at Bayway, N. J. The information charged shipment by said company by means of its duly authorized agents, of the following consignments of ether which was adulterated and misbranded in violation of the food and drugs act: On or about July 8, 1929, from Bayway, N. J., into the State of Georgia; on or about July 29 and July 30, 1929, in the name of the Milton Elias Co., from Bayway, N. J., into the State of Minnesota;